

COUNTY OF LINCOLN

New Mexico Special Meeting Board of County Commissioners

Preston Stone, Chair
Dallas Draper, Vice Chair

Thomas F. Stewart, Member
Elaine Allen, Member
Lynn Willard, Member

Minutes Tuesday, May 5, 2015

Minutes of the Special Meeting of the Lincoln County Commission held at 9:00 AM on May 5, 2015 in the County Commission Chambers, Lincoln County Courthouse, in Carrizozo, New Mexico.

1. Call to Order

Chair Stone called the Regular Meeting of the Board of County Commissioners to order at 8:30:11 AM.

2. Roll Call

Roll Call.

Present: Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Draper, Commissioner Willard.

Others present included Nita Taylor, County Manager; Punkin Schlarb, Finance Director; Beverly Calaway, Treasurer; and Rhonda Burrows, County Clerk.

3. Invocation

The invocation was presented by Commissioner Draper.

4. Pledge of Allegiance

- a. Pledge – US Flag
- b. Salute – NM Flag

5. Approval of Agenda

Motion: Acceptance of the Agenda and authorized the Chair to move items as necessary,

Action: Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Allen.

Vote: Motion carried by unanimous vote (**summary:** Yes = 5).

Yes: Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Draper, Commissioner Willard.

6. Public Hearing: Preliminary Budget hearing, Fiscal Year 2015-2016; Infrastructure Capital Improvements Plan (ICIP) Development

Chair Stone recessed the Regular Meeting and convened the Public Hearing at 8:32:45 AM.

7. County Manager's Overview

Nita Taylor, Manager provided an overview of the process and a timeline for submission of the preliminary and final budget. Ms. Taylor anticipated final approval of the preliminary budget during the May 19, 2015 Regular Meeting.

Ms. Taylor acknowledged the work of Punkin Schlarb, Finance Director; Beverly Calaway, Treasurer and her staff; and the other public officials for their work during the budget process.

Ms. Taylor stated the conservative budget as presented resulted in a revenue base of \$841,557 over the required reserve of \$1,881,300 or 3/12 of total General Fund expenditures of \$7,525,200. Ms. Taylor stated expenditures were unconstrained and projected revenues were conservative.

Ms. Taylor discussed major transfers from the General Fund to cover departmental expenses including; \$2,358,325 for Road Department operations; \$2,203,515 for Detention Center operations; \$111,151 for Senior Citizen Centers; and \$110,000 for Juvenile Detention related operations.

Ms. Taylor provided a history of property valuations beginning in 2004 and noted the increase in valuation from \$1,131,149,006 in 2013 to \$1,163,765,087 in 2014. Ms. Taylor stated DFA mandated the use of the 2014 valuation for the development of the Fiscal Year 2015-2016 budget.

Ms. Taylor stated external agency requests not currently included in the preliminary budget amounted to \$562,639. Ms. Taylor reminded approval of these requests would increase the total required reserves and decrease total funds remaining over the required reserves.

Ms. Taylor reminded clinic and hospital budget requests were funded solely from the Property Tax Mill Levy currently imposed at the rate of 2.0 for LCMC and .6 for clinics.

Ms. Taylor noted additional departmental requests not included in the preliminary budget were typically for capital improvements or one-time requests. Ms. Taylor again reminded approval of these requests would decrease total funds remaining over the required reserves.

Commissioner Stewart expressed belief that unless drastic budget cuts were instituted this year the County would be unable to meet the required 3/12th reserves requirement next year. Commissioner Stewart stated in the prior two years expenses exceeded revenues by \$7 million. Commissioner Stewart stated expenses for routine operations now exceed revenues by \$2.5 million. Commissioner Stewart suggested that for every external agency request approved, a corresponding reduction of internal budgeted expenses should occur.

Commissioner Draper partially concurred with Commissioner Stewart but reminded of the daunting financial issues faced by prior Commissions including the Greentree Solid Waste issue, the building of the new Professional Office Building, and increasing Detention Center costs.

8. External Agency Presentations and Requests

- a. Ms. Taylor presented a summary of external requests including history of prior funding awarded and comparison analysis of current request.

b. NMSU Extension Office \$ 95,000

Request presented by Marsha Palmer, Lincoln County Extension Director

c. Capitan Library \$ 10,000

Request presented by Pat Garrett, Director

d. Corona Library \$ 5,000

Request presented by Denise Williams, Director and William Weckwirth, Council Member

e. Ruidoso Library \$ 25,000

Request presented by Cory Bard, Director

f. Juvenile Justice Board (LCJJB) \$ 22,000

Request presented by Ted Allen, Coordinator

g. SNMEDD \$ 6,000

Request presented by Hubert Quintana, Executive Director

h. USDA Predator Control/Wildlife \$ 91,500

Request presented by Brian V. Archuleta, District Supervisor, WS, Roswell

Note: USDA Total Request of \$91,500. Per Head Tax of \$0.55 = \$18,400; delinquent taxes = \$1,200; Taylor Grazing = \$24,179, Request from General Fund = \$43,779

i. Noxious Weed Program \$ 50,000

Request presented by Stephanie Bason, Coordinator

j. South Central RC & D \$ 40,000

Request presented by Laura Doth, Executive Director and Rick Merrick, Rural Forrester.

k. Lincoln County Humane Society \$ 30,000

Request presented by Nancy Antilla, Treasurer

l. EcoServants \$ 25,000

Request presented by Stephen Carter, Executive Director

m. NM Bookmobile \$ 1,260

Request presented by Ms. Taylor on behalf of New Mexico State Library

n. Coalition of Arizona/NM Counties \$ 2,600

Request presented by Ms. Taylor on behalf of Howard Hutchinson, Executive Director

- o. Boys & Girls Club of Sierra Blanca \$ 10,000**
Request presented by Tim Coughlin, Executive Director
- p. Lincoln County Fair Board Assoc. \$ 44,000**
Request presented by Shad Cox, Vice President and Billy Bob Shafer, President
- q. New Horizons Development Center \$ 110,000**
Request presented by Ann Mitchell, Executive Director and Nurse

Commissioner Willard suggested since the New Horizon building was owned by the County this request was more appropriately considered as a capital outlay project.

9. Funding Requests not received or Funded in Prior Year

- a. Miracle's Paws for Pets \$ 5,000**
Request presented by Barbara Culler, President
- b) City of Ruidoso Downs \$ 28,000**
Request presented by Mayor Gary Williams on behalf of Lincoln County Transit.
- c) Region IX Education Coop. \$ 9,000**
Request presented by Brenda Motley-Lopez, LMSW, Program Director.

There was general consensus to request the County Attorney provide an opinion as to whether the school based health clinic would qualify for Mill Levy funding.

- d) White Mountain S&R \$ 1,000**
Request presented by Tony Davis, President

Chair Stone recessed the Public Hearing at 10:58:07 AM and reconvened at 11:10:36 AM.

10. La Casa Buena Salud

Ms. Taylor presented the request on behalf of Seferino Montano, Chief Executive Officer for La Casa Buena Salud New Mexico. Ms. Taylor informed the La Casa Clinic in Hondo presented a request for \$226,000 in funding which was an increase over the prior year's request of \$85,000. Ms. Taylor stated Mr. Montano reported the increased request was based on the recruitment and assignment of a physician replacing the previous staffing of a "mid-level practitioner" to provide a higher level of care. Ms. Taylor provided a history of prior funding and noted there were several years the clinic received no County support and operated at a loss. Ms. Taylor also provided copy of the Hondo Clinic FY 2014-2015 Budget and the Uniform Data System Report required by the New Mexico Department of Human Services containing detailed information about populations served and services provided.

Ms. Taylor suggested any final decision on funding be deferred and considered in the larger context of funding the remaining Presbyterian managed clinics.

Commissioner Willard reported a member of the Hondo School Board, which serves as the Fiscal Agent for the clinic, expressed reservations about the increased request for funding and the need for a physician to staff the clinic.

Commissioner Allen expressed belief the local residents were supportive of placement of a physician in the clinic. Commissioner Allen expressed belief it was not the duty of the County Commission to make staffing decisions for the clinics.

11. Medical Related Budget/LCMC/Clinics

Al Santos, LCMC Administrator recapped his prior presentation for the budget request. Mr. Santos provided statistics related to the economic impact of LCMC operations and noted there were over 85,000 patient contacts in 2014. Mr. Santos detailed accomplishments over the past year including implementation of electronic medical records and Joint Commission Accreditation. Mr. Santos reminded of the successful reauthorization of the Hospital Mill Levy by voters during the 2015 General Election.

Mr. Santos anticipated renegotiation of the hospital lease would increase the payment to \$1.5 million. Mr. Santos stated the increase could offset the debt service for the renovation and remodel of LCMC as previously approved.

Mr. Santos stated the total budget request for the upcoming fiscal year was \$2,851,610 for LCMC and the Presbyterian rural clinics. Mr. Santos noted the request was an increase over last year's request and stated this was primarily to accommodate the purchase of two new ambulances.

Mr. Santos discussed various revenue streams and suggested there was opportunity once the renovation and remodel of the existing facility was complete to lease the current beds for long term care at an estimated revenue of \$500,000 per year. Mr. Santos presented guidance as to how the County could budget health care revenues to accomplish the funding requests.

Ms. Taylor reviewed a chart analysis of the requests for clinic funding for all County supported health clinics. Ms. Taylor noted the current .6 Mill Levy imposition for clinics generated approximately \$654,000. Ms. Taylor stated total requests from all clinics totaled \$780,610. Ms. Taylor stated a proposed increase in the currently imposed mill levy clinic assessment from .6 to 1 Mill would generate approximately \$470,000.

Ms. Taylor noted LCMC's request of \$1,775,000 for operations was an increase over last year's request of \$1,250,000. Ms. Taylor stated LCMC's requests for \$392,000 and \$60,000 in Capital Outlay, \$110,000 for LCAP, and \$1,775,000 for operations totaled \$2,337,000 excluding clinic operations. Ms. Taylor stated the current 2.0 Mill Levy hospital assessment generated approximately \$2,195,000. Ms. Taylor stated the request of \$2,337,000 combined with the current obligations to the Safety Net Care Pool and Medicaid from Mill Levy funds would result in a negative balance of \$881,946.

Commissioner Stewart questioned the status of the previously approved additional funding for LCMC. Ms. Taylor stated as per direction \$486,500 budgeted for LCMC in the current fiscal year along with an additional \$150,000 for LCAP was remitted to LCMC. Ms. Taylor stated the additional \$376,701 approved distribution to LCMC was still pending the requested certification of indigent health care services provided.

Commissioner Stewart commented on potential issues associated with the distribution of funds from the Indigent Health Care Fund directly to a hospital for services. Commissioner Stewart suggested disbursement of the remaining \$376,701 from mill levy funds and shifting Safety Net Care Pool and Medicaid payment obligations to the Indigent Health Care fund. Ms. Taylor stated the topic was not set for discussion at this meeting but the Commissioners could revisit the issue during the Regular Meeting of May 19, 2014.

Mr. Santos stated LCMC could easily provide a certification of indigent expenditures for 2014. Mr. Santos expressed belief the Indigent Health Care fund was established for the purpose of supplementing indigent health care through local community hospitals. Mr. Santos further suggested funding LCMC's request from not only Mill Levy funds but also considering all sources of health care revenue. Mr. Santos stated the imposition of 2.0 Mills for the hospital and 1.0 Mill for the clinics was one of "political expedience". Mr. Santos suggested since Presbyterian provided 24 hour access, 7 days a week, for 365 days a year through their facilities they might access clinic mill levy funding.

Commissioner Willard questioned the provision of 24 hour service in the clinics. Mr. Santos clarified service 24 hour service was provided through Emergency Medical Services and the LCAP program.

12. Detailed Department Review

Ms. Taylor stated the detailed department review consisted of an analysis of the budget as a whole. Ms. Taylor stated looking at past revenue and expenditure trends, staff worked to present a fiscally conservative budget. Ms. Taylor stated in lieu of a line by line departmental budget review she and staff would stand for questions.

Commissioner Stewart suggested after consideration of the estimated beginning cash balance, the Manager and staff review non County departmental budgeted projects such as the new Carrizozo Senior Center and the FEMA grant programs for potential opportunities to increase the cash carryover by terminating some of these programs.

There was a general discussion about pending FEMA grants and the required matching funds. There was also discussion regarding the budgeted amount for capital outlay projects.

Chair Stone recessed the Public Hearing and reconvened the Regular Meeting at 12:07:30 PM.

Chair Stone recessed the Regular Meeting at 12:07:32 PM and reconvened at 1:01:26 PM.

16. Executive Session Pursuant to the Open Meetings Act: Discussion of all Threatened and/or Pending Litigation Section 10-15-1, Sub-Paragraph H.(7); and Discussion of the purchase, acquisition or disposal of real property or water rights by the public body, Section 10-15-1, Sub-Paragraph H.(8).

Motion: To close the meeting for the purposes of an Executive Session to discuss Threatened and/or Pending Litigation pursuant to the Open Meetings Act, Section 10-15-1, Sub Paragraph H.(7) and the purchase, acquisition or disposal of real property or water rights by the public body, Section 10-15-1, Sub-Paragraph H.(8) and as follows:

1. *Cooper, Gale and DeBaca County News v. County of Lincoln, Sheriff of Lincoln County, et al.* D-1329-CV-200701364. Suit filed: October 15, 2007. Verified Complaint for Declaratory Judgment Ordering Production of Certain Records and Information. Hearing took place Dec. 18, 2013, and Stipulated Judgment was entered June 4, 2014 in favor of Ms. Cooper. Ms. Cooper filed an appeal June 10, 2014, and Judge John F. Davis was assigned Aug. 3, 2014.
2. *Greentree Solid Waste Authority v. Lincoln County D-1226-CV-2014-00095.* Suit filed May 1, 2014. Verified Petition for Declaratory and Supplemental Relief: Injunction. County was served May 14, 2014. Mr. Paul Melendres has been retained by the County. Hearing on All Pending Motions took place Nov. 20 before Judge Ritter, who found Mr. Beauvais had a conflict of interest and was disqualified from representing GSWA. GSWA has retained Robert Doughty as new counsel Dec. 13, 2014. Hearing regarding 1) GSWA's Motion First Amended Verified Emergency Motion Seeking Further Relief on GSWA's Request for Preliminary Injunction Concerning the Rate at which the County Will Bill and 2) Lincoln County's Motion for Sanctions is scheduled for May 12, 2015 at 9 a.m.
3. *Greentree Solid Waste Authority v. Lincoln County, et. al. D-0101-CV-2013-00104.* Suit filed January 9, 2013. Petition for Declaratory Judgment; Preliminary and Permanent Injunction. Mr. Beauvais filed an appeal Feb. 27, 2014. Ruling on Reconsidering Stay denied by Judge Singleton June 11, 2014. GSWA's Brief in Chief filed Sept. 9, 2014. Record Proper was filed Sept. 25, 2014. Alto Lakes Water and Sanitation District's and Lincoln County's Joint Response Brief was filed with the Court of Appeals Oct. 24, 2014. GSWA filed it Reply Brief Dec. 1, 2014. The case has been submitted to a panel of judges for decision and the County received Notice of Submission from the Court of Appeals Jan. 2, 2015.
4. *Water Rights Protests: New Mexico State Engineer Hearing Numbers: 14-039 and 14-041.* Protests of Applications 01300-1, 01300-2, 01300-3, 0826-2 into 0275 *et. al.* and H-272 *et al* (T) and H-50-1 into H-272 *et. al.* (T) filed July 15, 2013 pertaining to movement / transfer of water rights from the Hondo Valley to the Village of Ruidoso and the City of Ruidoso Downs. Docketing Order filed Sept. 18, 2014. Kelly Cassels/Sanders, Bruin, Coll & Worley, P.A. has been retained by the County, entered his appearance Sept. 22, 2014 and has responded in behalf of the County.
5. *Wesmax, Ltd. V. Paul Baca, Lincoln County Assessor D-1226-CV-2014-00188* Appeal of the Final Order from Lincoln County Valuation Protest Board. Appeal filed Oct. 8, 2014. Case assigned to Basham & Basham/Dwyer. Record of Appeal and Transcript of Proceedings was filed Oct. 23, 2014.

Tort Claims Notices Received or Threatened

2015

Cherry, Doris – Tort Claim Notice posted in Lincoln County News Jan. 1, 2015 stating possible Civil Rights Violation lawsuits regarding alleged Americans with Disabilities Act non-compliance in remodeling the Lincoln County Courthouse buildings.

McDaniel, Carl – Tort Claim Notice received Jan. 23, 2015 alleging violation of the Unfair Trade Practices Act and engaging in unfair or deceptive trade practices and/or unconscionable trade practices by GSWA.

UNM Hospital-Prins, Chad – Tort Claim Notice received Feb. 26, 2015 in which UNM Hospital seeks reimbursement of expenses incurred while Lincoln County Detention Center inmate Prins was on furlough.

Sehorn, Sean M. – Tort claim Notice received March 2, 2015 alleging Lincoln County Detention Center failed to provide adequate medical treatment during inmate Sehorn's incarceration.

Lavin, Erica L. and Rathgeber, Jack – Tort Claim Notice received March 2, 2015 alleging Constitutional Rights were violated resulting in wrongful termination.

Hanley, Constance – Tort Claim Notice received March 20, 2015 from attorney John Sugg alleging violations of 42 USC section 1983, malicious prosecution, failure to investigate, defamation of character, libel and abuse of process.

Capitan Iron Mine through A. Blair Dunn – Threatened Litigation on April 1, 2015 against the County of Lincoln should Lincoln County require Capitan Iron Mine comply with Lincoln County Mine Ordinance 2009-01.

Chavez, Billy – Ordinance Violation: 2009-03 Regulating Refuse, Solid Waste and Litter in the County. March 10, 2015 certified letter mailed to Mr. Chavez giving him 30 days to

dispose of debris on his property at 142 White Cat Road, San Patricio (Section 26, Township-10S, Range 16E, tract of land lying in the NE 4SE4). April 10, 2015 the property was inspected and noted no progress had been made.

Preston, DeAnna – Lincoln County Sheriff's Deputy – Threatened Litigation on April 22, 2015 through attorney J. Robert Beauvais against the County of Lincoln in reference to Dep. Preston's Disciplinary Action Dispute.

2014

Ramos, Aaron – Tort Claim Notice received from Mr. Ramos March 18, 2014 alleging his rights were violated during incarceration at Lincoln County Detention Center. Mr. Ramos alleges damages by not being granted detainee to detainee correspondence.

Millerden, Kenneth and Anita – Tort Claim Notice received May 9, 2014 alleging negligence from staff at Lincoln County Medical Center during prepartum care for their infant son.

Ogden, John D – Tort Claim Notice received May 26, 2014 alleging mistreatment while incarcerated at Lincoln County Detention Center on March 11, 2014.

Rounds, Christopher – Tort Claim Notice received June 4, 2014 alleging being held in Lincoln County Detention Center without being advised of his charges.

Herbert, Crystal – Tort Claim Notice received June 23, 2014 alleging false imprisonment, due process violations, unlawful detention of a minor, emotional distress.

Class Action – Tort Claim Notice received June 23, 2014 alleging false imprisonment, false arrest, deprivation of rights at Lincoln County Detention Center that arise with Immigration and Customs Enforcement charges.

Atwell, Stacey – Tort Claim Notice received June 25, 2014 alleging unlawful seizure of her two minor children during a request for a deputy to assist in keeping the peace.

McGarry, Sean – Tort Claim Notice received July 25, 2014 alleging wrongful arrest, false imprisonment, malicious prosecution, intentional or negligent infliction of emotional distress, abuse of process, wrongful termination and retaliatory discharge regarding discharge from the Capitan Police Department.

Ramos, Aaron – Tort Claim Notice received August 7, 2014 alleging lack of Due Process for inmates at Lincoln County Detention Center.

Lambert, David and Bonnie – Tort Claim Notice received Sept. 8, 2014 by attorney W. Chris Nedbalek alleging damage to Lambert property due to Mr. Rodney Bunsen using his own equipment to alter a platted County right of way without the authorization or knowledge of the County.

Rider, Edward Allen and Moorhead, Brennon – Tort Claim Notice received Oct. 20, 2014 by attorney W. Chris Nedbalek alleging Lincoln County Narcotics Enforcement Unit officers destroyed items in a home.

Caughron, Brittany and Anderson, Amie – Tort Claim Notice received Oct. 24, 2014 by attorney W. Chris Nedbalek alleging overcrowding of Lincoln County Detention Center as a violation of 8th Amendment Rights.

Ryen, Allen – Tort Claim Notice received Oct. 27, 2014 by attorney W. Chris Nedbalek alleging Mr. Ryen was exposed to unsanitary conditions at Lincoln County Detention Center.

Inmate Group – Tort Claim Notice received Oct. 27, 2014 by attorney W. Chris Nedbalek alleging overcrowding and unsanitary conditions at Lincoln County Detention Center.

McMurray, Cody – Tort Claim Notice received Nov. 6, 2014 by attorney W. Chris Nedbalek alleging lack of adequate medical care at Lincoln County Detention Center.

Caughron, Brittany and Anderson, Amie – Tort Claim Notice received Nov. 14, 2014 by attorney W. Chris Nedbalek alleging inadequate medical care and overcrowding at Lincoln County Detention Center.

Inmate Group – Tort Claim Notice received Nov. 14, 2014 by attorney W. Chris Nedbalek alleging overcrowding and unsanitary conditions at Lincoln County Detention Center.

Long, Cameron – Tort Claim Notice received Nov. 14, 2014 by attorney W. Chris Nedbalek alleging mistreatment by an Officer with Adult Probation and Parole.

McClammon, Brian – Tort Claim Notice received Nov. 14, 2014 by attorney W. Chris Nedbalek alleging violations of U.S. Constitutional Amendment rights.

Diana Martwick, 12th Judicial District Attorney – Tort Claim Notice received Nov. 25, 2014 alleging lack of adequate office space provided by the County of Lincoln.

Inmate Group – Tort Claim Notice received Dec. 22, 2014 by attorney W. Chris Nedbalek alleging inmates were mistreated at Lincoln County Detention Center.

2013b

Allen, Katherine Elizabeth – Notice of Tort Claim received Sept. 12, 2013 from Katherine Allen against Lincoln County Detention Center for alleged injuries sustained during transport.

Borrego, Albert – Tort Claim Notice received from attorney Gary Mitchell on June 14, 2013, alleging continued harassment to Albert G. Borrego by police while responding to a noise complaint at Mr. Borrego's residence on February 28, 2013, and a separate incident resulting in

Mr. Borrego's arrest on March 5, 2013, due to an outstanding warrant, during which Mr. Borrego allegedly sustained injuries while in custody due to an existing broken back injury. Claim has been denied by NMAC.

Espinoza, Robert - Tort Claim Notice received from Robert Espinoza on June 4, 2013, alleging property damage from vehicle accident while Linda Mullins, driving the LC Senior Center meal delivery van ran off road hitting chain link fence, poles and railroad ties.

Harrisburg Documents - Attempts to recover Lincoln County documents illegally taken from the county. County Clerk Rhonda Burrows has been in contact with Harrisburg, PA in recovery efforts.

Silva, Elmo - Tort Claim Notice received from attorney Richard Marquez November 6, 2013. Alleges false imprisonment for Mr. Silva, who was sentenced in the 12th Judicial District Court to 38 years filed on July 3, 1990.

Action: Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Draper.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Draper, Commissioner Willard.

Chair Stone recessed the Regular Meeting and convened the Closed Session at 1:02:15 PM.

Chair Stone adjourned the Closed Session and reconvened the Regular Meeting at 2:05:40 PM.

Commissioner Stewart attested that matters discussed in the closed meeting were limited to those specified in the motion for closure or in the notice of separate closed meeting.

17. Consideration/Action on GSWA Counter Offer to Lincoln County- Ref: Settlement Agreement and Release

Motion: Remit \$44,691 plus gross receipts tax to Greentree Solid Waste Authority on the 15th of each month and on the 1st of each month thereafter on a month to month basis for services as currently provided, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by** Commissioner Stewart.

Vote: Motion carried by unanimous vote (**summary:** Yes = 5).

Yes: Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Draper, Commissioner Willard.

Chair Stone recessed the Regular Meeting and reconvened the Public Hearing at 2:07:09 PM.

13. Unfunded Optional Requirements

Ms. Taylor stated during the preliminary budget cycle public officials and department heads identified or submitted requests for optional items not included in their primary operational budgets. Ms. Taylor presented a list of requests and pointed out the associated expenses were incorporated into the preliminary budget. Ms. Taylor stated for any requests not approved an adjustment to remove the budgeted expense from the preliminary budget would occur.

Ms. Taylor noted two requests associated with salaries were presented for consideration. Ms. Taylor informed legislative action resulted in the increase in amount of compensation County Appraisers may receive for completing and maintaining certification. Ms. Taylor further informed based on newly enacted State Statute each county was required to employ a Certified Chief Procurement Officer but the statute did not provide for additional compensation for this certification.

Ms. Taylor presented the following requests for consideration:

Sheriff:	1. Four SUVs	\$145,000
	2. Dispatch Radio System	\$500,000
Road Department:	3. Transport Truck	\$120,000
	4. Grid Roller	\$ 35,000
Detention Center:	5. Kitchen Equipment	\$ 8,224
	6. Three Cameras	\$ 4,546
Manager:	7. Repair Parking Lot – Substation	\$ 4,166
	8. Storage Shed – Rural Addressing	\$ 1,671

Total Optional County Requests (included in draft budget) \$888,607

Yovanne Lucero, Chief Deputy Assessor informed Paul Baca, Assessor agreed to provide funding for the increase in compensation associated with Appraiser Certifications from the Assessor's Reappraisal Fund should the Board of Commissioners approve the increase.

Ms. Taylor suggested deferring consideration of compensation for Certification of the Chief Procurement Officer pending further research regarding the policy of other counties.

14. Manager's Recommendations

Ms. Taylor requested the Board of Commissioners consider and take action on external requests; take action or consider deferring action pending additional information on the funding requests of the hospital and clinics; approve the County departmental optional requests; and provide direction regarding any desired adjustments to the preliminary budget.

15. Board of County Commissioner's Preliminary Budget Guidance

Commissioner Stewart suggested addressing the budget deficit of \$2,547,000 by postponing action on the Optional County Requests of \$888,607. Commissioner Stewart suggested staff review the budget to identify additional reduction opportunities such as the new Carrizozo Senior Center, FEMA projects, construction and Capital Outlay projects. Commissioner Stewart suggested staff could provide a list of any reductions and then request all departments reduce overall budgets by the remainder. Commissioner Stewart suggested should the remaining cash balance prove greater than anticipated, the County could systematically restore budget cuts.

Beverly Calaway, Treasurer commented on the potential impact of a forced budget reduction on small department budgets such as the Treasurer's. Ms. Calaway stated historically the Treasurer was extremely conservative in budget requests and as an example noted there were no changes in the number of staff in the last 25 years.

Commissioner Stewart suggested the Manager could determine what reduction each department could accommodate.

Rhonda Burrows, Clerk commented during the preliminary budget process the Manager and Finance Director had requested departments consider reducing overall budget requests for operations. Ms. Burrows reminded the Clerk and Assessor had voluntarily contributed funds from both the Reappraisal Fund and the Recording Fee Fund to appropriate County projects in the past.

Punkin Schlarb, Finance Director stated she provided actual expenses for the last two years during the preliminary budget process to assist with budget reductions.

Yovanne Lucero, Chief Deputy Assessor stated the Assessor's office had also searched for budget reductions. Ms. Lucero stated in past years the Assessor's office contributed as much as \$100,000 per year from the Reappraisal Fund towards appropriate expenses in Assessor's budget.

Ms. Taylor suggested the Commission consider the external requests and operational requests and provide guidance as to any specific amount for reduction.

Chair Stone recessed the Public Hearing and reconvened the Regular Meeting 03:08:10 PM.

Motion: Approve the optional internal requests of 1 (3 SUVs), 2 (Dispatch Radio System), 3 (Transport Truck), 4 (Grid Roller), 6 (Kitchen Equipment), and 7 (Three Cameras), **Action:** Approve, **Moved by** Chair Stone, **Seconded by** Commissioner Draper.

After general discussion, Chair Stone and Commissioner Draper agreed to amend the motion to reflect a reduced approval of three SUV's for the Sheriff's department rather than four pending additional cost estimates for the radio system.

Vote: Motion passed (summary: Yes = 4, No = 1, Abstain = 0).

Yes: Chair Stone, Commissioner Allen, Commissioner Draper, Commissioner Willard.

No: Commissioner Stewart.

NMSU Extension Office

\$ 95,000

Motion: Award NMSU Extension Service \$50,000, **Action:** Approve, **Moved by** Commissioner Willard, **None seconded.**

Motion: Award NMSU Extension Service \$44,000, **Action:** Approve, **Moved by** Commissioner Stewart, **None seconded.**

Motion: Award NMSU Extension Service no funding, **Action:** Approve, **Moved by** Commissioner Stewart, **None seconded.**

Motion: Award NMSU Extension Service \$64,399, **Action:** Approve, **Moved by** Commissioner Draper, **Seconded by** Commissioner Willard.

Vote: Motion failed (**summary:** Yes = 1, No = 4, Abstain = 0).

Yes: Commissioner Draper.

No: Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard.

Motion: Award NMSU Extension Service \$90,000, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by** Commissioner Draper.

Vote: Motion passed (**summary:** Yes = 4, No = 1, Abstain = 0).

Yes: Chair Stone, Commissioner Allen, Commissioner Draper, Commissioner Willard.

No: Commissioner Stewart.

Capitan Library

\$ 10,000

Motion: Award Capitan Library \$5000, **Action:** Approve, **Moved by** Chair Stone, **Seconded by** Commissioner Draper.

Vote: Motion failed (**summary:** Yes = 2, No = 3, Abstain = 0).

Yes: Chair Stone, Commissioner Draper.

No: Commissioner Allen, Commissioner Stewart, Commissioner Willard.

Motion: Award Capitan Library \$4000, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by** Chair Stone.

Vote: Motion passed (**summary:** Yes = 4, No = 1, Abstain = 0).

Yes: Chair Stone, Commissioner Allen, Commissioner Draper, Commissioner Willard.

No: Commissioner Stewart.

Corona Library

\$ 5,000

Motion: Award Corona Library \$4000, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by** Commissioner Draper.

Vote: Motion failed (**summary:** Yes = 2, No = 3, Abstain = 0).

Yes: Commissioner Willard, Commissioner Draper.

No: Chair Stone, Commissioner Stewart, Commissioner Allen.

Motion: Award Corona Library \$2500, **Action:** Approve, **Moved by** Chair Stone, **Seconded by** Commissioner Draper.

Vote: Motion failed (**summary:** Yes = 2, No = 3, Abstain = 0).

Yes: Chair Stone, Commissioner Draper.

No: Commissioner Allen, Commissioner Stewart, Commissioner Willard.

Motion: Award Corona Library \$1500, **Action:** Approve, **Moved by** Commissioner Allen, **Seconded by** Chair Stone.

Vote: Motion passed (**summary:** Yes = 3, No = 2, Abstain = 0).

Yes: Chair Stone, Commissioner Allen, Commissioner Draper.

No: Commissioner Stewart, Commissioner Willard.

Ruidoso Library

\$ 25,000

Motion: Award Ruidoso Library \$20,000, **Action:** Approve, **Moved by** Commissioner Willard, **None seconded.**

Motion: Award Ruidoso Library \$15,000, **Action:** Approve, **Moved by** Commissioner Draper, **Seconded by** Commissioner Willard.

Vote: Motion failed (**summary:** Yes = 2, No = 3, Abstain = 0).

Yes: Commissioner Draper, Commissioner Willard.

No: Chair Stone, Commissioner Stewart, Commissioner Allen.

Motion: Award Ruidoso Library \$10,000, **Action:** Approve, **Moved by** Commissioner Draper, **Seconded by** Commissioner Allen.
Vote: Motion passed (**summary:** Yes = 4, No = 1, Abstain = 0).
Yes: Chair Stone, Commissioner Allen, Commissioner Draper, Commissioner Willard.
No: Commissioner Stewart.

Juvenile Justice Board (LCJJB) \$ 22,000

Motion: Award Juvenile Justice Board \$8000, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by** Commissioner Stewart.
Vote: Motion passed (**summary:** Yes = 4, No = 1, Abstain = 0).
Yes: Chair Stone, Commissioner Draper, Commissioner Stewart, Commissioner Willard.
No: Commissioner Allen.

SNMEDD \$ 6,000

Motion: Award SNMEDD \$6,000, **Action:** Approve, **Moved by** Commissioner Draper, **Seconded by** Commissioner Stewart.
Vote: Motion passed (**summary:** Yes = 4, No = 1, Abstain = 0).
Yes: Commissioner Stewart, Commissioner Allen, Commissioner Draper, Commissioner Willard.
No: Chair Stone

USDA Predator Control/Wildlife \$ 91,500

Motion: Award USDA Predator Control/Wildlife \$43,779, **Action:** Approve, **Moved by** Chair Stone, **Seconded by** Commissioner Stewart.
Vote: Motion passed (**summary:** Yes = 4, No = 1, Abstain = 0).
Yes: Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Draper.
No: Commissioner Willard.

Noxious Weed Program \$ 50,000

Motion: Award the Noxious Weed Program \$50,000, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by** Commissioner Draper.
Vote: Motion passed (**summary:** Yes = 4, No = 1, Abstain = 0).
Yes: Chair Stone, Commissioner Allen, Commissioner Draper, Commissioner Willard.
No: Commissioner Stewart.

South Central RC and D \$ 40,000

Motion: Award South Central RC and D \$27,000 in Title III funds, **Action:** Approve, **Moved by** Commissioner Stewart, **None seconded.**

Motion: Award South Central RC and D \$40,000, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by** Commissioner Draper.
Vote: Motion passed (**summary:** Yes = 3, No = 2, Abstain = 0).
Yes: Commissioner Allen, Commissioner Draper, Commissioner Willard.
No: Chair Stone, Commissioner Stewart.

Lincoln County Humane Society \$ 30,000

Motion: Award Lincoln County Humane Society \$30,000, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by** Commissioner Stewart.
Vote: Motion passed (**summary:** Yes = 4, No = 1, Abstain = 0).
Yes: Commissioner Stewart, Commissioner Allen, Commissioner Draper, Commissioner Willard.
No: Chair Stone.

EcoServants \$ 25,000

Motion: Award EcoServants \$10,000, **Action:** Approve, **Moved by** Commissioner Draper, **Seconded by** Commissioner Willard.
Vote: Motion passed (**summary:** Yes = 3, No = 2, Abstain = 0).
Yes: Commissioner Allen, Commissioner Draper, Commissioner Willard.

No: Chair Stone, Commissioner Stewart.

NM Bookmobile \$ 1,260

Motion: Award the New Mexico Bookmobile \$1,260, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by** Commissioner Stewart.

Vote: Motion carried by unanimous vote (**summary:** Yes = 5).

Yes: Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Draper, Commissioner Willard.

Coalition of Arizona/NM Counties \$ 2,600

Motion: Award Coalition of Arizona/NM Counties \$2,600, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by** Chair Stone.

Vote: Motion passed (**summary:** Yes = 4, No = 1, Abstain = 0).

Yes: Chair Stone, Commissioner Allen, Commissioner Draper, Commissioner Willard.

No: Commissioner Stewart.

Boys and Girls Club of Sierra Blanca \$ 10,000

Motion: Award Boys and Girls Club of Sierra Blanca \$8,000, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by** Commissioner Draper.

Vote: Motion passed (**summary:** Yes = 3, No = 2, Abstain = 0).

Yes: Commissioner Allen, Commissioner Draper, Commissioner Willard.

No: Chair Stone, Commissioner Stewart.

Lincoln County Fair Board Association \$ 44,000

Motion: Award Lincoln County Fair Board Association \$30,000, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by** Chair Stone.

Vote: Motion failed (**summary:** Yes = 2, No = 3, Abstain = 0).

Yes: Chair Stone, Commissioner Willard.

No: Commissioner Stewart, Commissioner Allen, Commissioner Draper.

Motion: Award Lincoln County Fair Board Association \$24,000, **Action:** Approve, **Moved by** Commissioner Draper, **Seconded by** Commissioner Allen.

Vote: Motion failed (**summary:** Yes = 2, No = 3, Abstain = 0).

Yes: Commissioner Allen, Commissioner Draper.

No: Chair Stone, Commissioner Stewart, Commissioner Willard.

Motion: Award Lincoln County Fair Board Association \$25,000, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by** Chair Stone.

Vote: Motion passed (**summary:** Yes = 4, No = 1, Abstain = 0).

Yes: Chair Stone, Commissioner Allen, Commissioner Draper, Commissioner Willard.

No: Commissioner Stewart.

New Horizons Development Center \$ 110,000

Motion: Consider the request for Capital Outlay, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by** Commissioner Draper.

Vote: Motion carried by unanimous vote (**summary:** Yes = 5).

Yes: Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Draper, Commissioner Willard.

Miracle's Paws for Pets \$ 5,000

Motion: Award Miracle's Paws for Pets \$1,000, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by** Commissioner Draper.

Vote: Motion passed (**summary:** Yes = 3, No = 2, Abstain = 0).

Yes: Commissioner Allen, Commissioner Draper, Commissioner Willard.

No: Chair Stone, Commissioner Stewart.

City of Ruidoso Downs \$ 28,000

Motion: No support for this request, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Allen.

Vote: Motion passed (**summary:** Yes = 4, No = 1, Abstain = 0).

Yes: Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard.

No: Commissioner Draper.

Region IX Education Coop. \$ 9,000

Motion: Direct the County Manager to explore funding options from Mill Levy or Indigent Health Care, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Willard.

Vote: Motion carried by unanimous vote (**summary:** Yes = 5).

Yes: Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Draper, Commissioner Willard.

White Mountain S&R \$ 1,000

Motion: Award White Mountain Search and Rescue \$1,000 from Title III funding, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by** Commissioner Draper.

Vote: Motion passed (**summary:** Yes = 4, No = 1, Abstain = 0).

Yes: Commissioner Stewart, Commissioner Allen, Commissioner Draper, Commissioner Willard.

No: Chair Stone.

Motion: Direct the Manager to gather additional information related to hospital and clinic services prior to consideration of those budget requests and Mill Levy imposition, **Action:** Approve, **Moved by** Commissioner Draper, **Seconded by** Commissioner Allen.

Vote: Motion passed (**summary:** Yes = 3, No = 2, Abstain = 0).

Yes: Chair Stone, Commissioner Allen, Commissioner Draper.

No: Commissioner Stewart, Commissioner Willard.

There was a general consensus to specifically identify revenues derived from the Hospital Lease and the Mill Levy separately from General Fund revenues and currently included in the estimated ending cash balance.

Commissioner Stewart restated his suggestion to direct the Manager to review the budget for options to reduce deficit spending by considering discontinuance of FEMA projects and the Carrizozo Senior Citizens Center.

Chair Stone stated while the budget needed strict review he anticipated the Manager and the various departments would work to decrease expenditures.

18. Next Meeting:

May 19, 2015 – Regular Meeting

19. Adjournment

There being no further business to come before the Board of County Commissioners, Chair Stone adjourned the meeting at 4:13:56 PM.

County of Lincoln
Board of County Commissioners



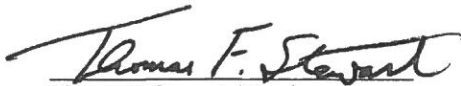
Preston Stone, Chair

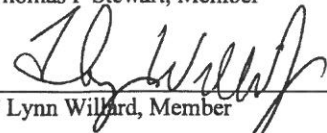


Dallas Draper, Vice Chair



Elaine Allen, Member


Thomas F Stewart, Member


F Lynn Willard, Member

ATTEST:


Rhonda Burrows, County Clerk

June 23, 2015
Date Approved